

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:

FITNESS MANAGEMENT GROUP, INC.

CASE NO. 09-31863

Chapter 11

Debtor.

**RESPONSE TO MOTION OF BOULEVARD INVESTMENT PROPERTIES, LLC
TO ALLOW AND COMPEL IMMEDIATE PAYMENT OF POST-PETITION
RENTS AND REQUEST FOR HEARING**

Wayne Sigmon, liquidating trustee, by and through the undersigned counsel, hereby responds to the Motion of Boulevard Investment Properties, LLC to Allow and Compel Immediate Payment of Post-Petition Rents and objects thereto to the extent that any of the administrative claim requested by Boulevard Investment Properties, LLC might be expected to be paid from funds of the liquidating trust. The trustee also requests that a hearing be held as scheduled by the Movant in this Court for April 14, 2010 at 9:30 o'clock a.m.

Dated: _____

Wayne Sigmon, Attorney for the Trustee
State Bar # 7318
Wayne Sigmon Attorney at Law PLLC
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(704) 865-6265

CERTIFICATE OF SERVICE

Undersigned certifies that the pleading or paper to which this certificate is affixed was served upon the other party(s) to this action by hand delivery or by depositing a copy of same, enclosed in a first-class postpaid wrapper properly addressed to the attorney(s) of record for such other party(s), in a post office or official depository under the exclusive care and custody of the United State Postal Service on this the ____ day of _____, 20__.

Wayne Sigmon, Attorney for the Trustee

Via Electronic Notification from the Bankruptcy Court:

Linda Simpson
Bankruptcy Administrator

James Henderson
Attorney for the Debtor

Dirk Siegmund
Attorney for Boulevard Investment Properties LLC

| | | |
|-----------------------|------------------------|----------------------|
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| Natalie Scurry Alston | Robert K. Imperail | Glenn C. Thompson |
| John T. Benjamin | Kenneth Lautenschlager | Kimberly Lea Wierzel |
| Daniel C. Bruton | Matthew T. McKee | William L. Yaeger |
| Gregory P. Chocklett | Travis W. Moon | Ashley S. Rusher |
| Hillary B. Crabtree | Kristin Decker Ogburn | N. Hunter Wyche |
| B. Chad Ewing | Phillip W. Paine | Connie E. Carrigan |
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